

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

DUNCAN J. MCNEIL, III

v.

CA 05-300 ML

UNITED STATES OF AMERICA, et al.

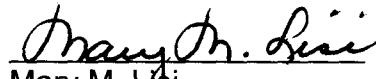
ORDER

On August 18, 2005, this Court adopted the Report and Recommendation of United States Magistrate Judge Hagopian and dismissed plaintiff's complaint. On August 19, 2005, judgment entered in favor of the defendants.

Plaintiff has now filed a Motion for Relief from the Court's order of dismissal pursuant to Fed. R. Civ. P. 52, 59, and 60. Plaintiff also seeks to file an amended complaint. Plaintiff completely ignores the import of the Report and Recommendation adopted by this Court. Plaintiff's case was dismissed for his failure to pay the filing fee. (The magistrate judge had denied plaintiff's Motion to Proceed In Forma Pauperis on July 19, 2005.) Plaintiff has yet to pay the filing fee.

Accordingly, plaintiff's motion for relief from the Court's order of dismissal is DENIED.

SO ORDERED:


Mary M. Lisi
United States District Judge
October 12, 2005